

Case No. 4264C4 #14

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Livak et al.

Serial No.: 09/436,454

Filed: November 8, 1999

For: **HYBRIDIZATION ASSAY USING  
SELF-QUENCHING FLUORESCENCE  
PROBE**

Group: 1656

Examiner: J. Riley

Official  
Off**CERTIFICATE OF FACSIMILE  
TRANSMISSION**I hereby certify that this correspondence is being  
facsimile transmitted to the USPTO, Examiner J.  
Riley, Fax No. 703-305-7939, onJuly 27, 2000  
Date of Transmission

Signature of Depositing Party

Name

**Petition Under 37 CFR 1.48(b)  
to Remove Inventor**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Applicants request amendment of the inventorship to delete one of the named inventors in this application.

2. The inventorship was correct at the time of filing, but as a result of cancellation of the original claims (1-40), it is believed that fewer than all of the originally named inventors are the actual inventors of the invention of the claims now pending (claims 41-76).

3. The person being deleted is:

**Khairuzzaman Bashar Mullah**

It is hereby acknowledged that the invention of the above inventor is no longer being claimed in the application.

4. Upon grant of this petition, the correct inventorship will be:

**Kenneth J. Livak; Susan J.A. Flood; and Jeffrey Marmaro**

Please amend all USPTO records to include the correct inventorship. In particular, the last name of the third inventor is **Marmaro, not Mamoro**.

5. **Fee Authorization**. The Commissioner is hereby authorized to charge the fee required under 37 CFR 1.17(i) [see 37 CFR 1.48(b)(2)] to **Deposit Account No. 01-2213**. Any deficiency or overpayment should be charged or credited to this deposit account.

Respectfully submitted,

Date: July 27, 2000

Vincent M. Powers

Vincent M. Powers  
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